

APR 29 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

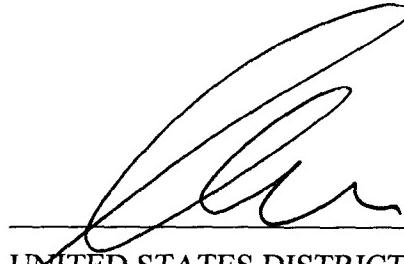
JULIA C. DUDLEY, CLERK
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KIM A. PRATER,)	Civil Action No. 7:13cv00072
)	
Petitioner,)	<u>§ 2254 FINAL ORDER</u>
)	
v.)	
)	
HAROLD W. CLARKE,)	By: Samuel G. Wilson
)	United States District Judge
Respondent.)	

In accordance with the memorandum opinion entered on this day, it is hereby
ORDERED and **ADJUDGED** that Prater's 28 U.S.C. § 2254 petition shall be **DISMISSED**
without prejudice and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Prater has failed to make a substantial showing of the denial of a
constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is
DENIED. The Clerk of the Court is directed to send a certified copy of this order and
accompanying memorandum opinion to Prater.

ENTER: April 29, 2013.



UNITED STATES DISTRICT JUDGE